

**EXECUTIVE ORDER NO. 10- 04**

WHEREAS, an interest arbitration decision has been issued for BU 10 for the July 1, 2009 through June 30, 2011, collective bargaining agreement;

NOW, THEREFORE, I Linda Lingle, Governor of Hawaii, pursuant to my executive authority under Articles V and VII of the Constitution of the State of Hawaii, the provisions of Chapters 37 and 89, Hawaii Revised Statutes, the interest arbitration decision for BU 10 issued on January 14, 2010, and all other applicable authority, do hereby order, for the period January 1, 2010 through June 30, 2011, a temporary pay rate reduction of 5.45% for employees who are included in BU-10 and are employed in the following programs/facilities, in accordance with the terms and conditions set forth in the Interest Arbitration Decision dated January 14, 2010:

1. Department of Public Safety, Corrections;
2. Department of Human Services, Hawaii Youth Correctional Facility; and
3. Department of Health, Hawaii State Hospital.

IT IS FURTHER ORDERED that all other employees who are included in BU-10 and are not employed in the programs/facilities indicated above, and are not excluded below, shall be furloughed fourteen (14) days for the period January 1, 2010 through June 30, 2010, and twenty-four (24) days for the period July 1, 2010 through June 30, 2011, in accordance with the terms and conditions set forth in the Interest Arbitration Decision dated January 14, 2010;


IT IS FURTHER ORDERED THAT the temporary pay rate reduction and furloughs specified above shall not apply to: (1) those executive branch employees employed by the Department of Education, the University of Hawaii, the Hawaii Health Systems Corporation, the Research Corporation of the University of Hawaii, the Hawaii State Public Library System, State of Hawaii charter schools; (2) those executive branch employees whose furloughs by me are prohibited by federal law, if any, who will be later explicitly identified; (3) those executive branch employees whose furloughs by me are prohibited by state law, if any, who will be later explicitly identified; and (4) those executive branch employees who I later determine not to be furloughed, should have furloughs less than the amount described herein, or should not be furloughed during certain periods;


IT IS FURTHER ORDERED that the Director of Human Resources Development shall be responsible for the uniform administration of these adjustments and is authorized to make any interpretations concerning the applicability of these adjustments to all State officers and employees of the State government executive branch covered under this Executive Order; and;

IT IS FURTHER ORDERED that this Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawaii or its agencies, departments, entities, officers, employees, or any other person; and


IT IS FURTHER ORDERED that these provisions are subject to  
amendment by Executive Order.

DONE at the State Capitol, Honolulu  
State of Hawaii, this 11<sup>th</sup> day of  
February, 2010.

  
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LINDA LINGLE  
Governor of Hawaii



APPROVED AS TO FORM:

  
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MARK J. BENNETT  
Attorney General